



CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Box Sequence, Washington, D.C. 20231

Christina Lonzisero  
(Print Name)

Date April 16, 2001

(Signature)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Kessler *et al*

Group Art Unit: 1656

Serial No.: 09/530,746

Examiner: Strzelecka, T.

Filed: November 16, 2000

Attorney Docket No. 4817/0Q

For: **SPECIFIC AND SENSITIVE NUCLEIC ACID DETECTION METHOD**

TRANSMITTAL OF SEQUENCE LISTING

Assistant Commissioner for Patents  
Box Sequence  
Washington, D.C. 20231

Alameda, CA  
April 16, 2001

Sir:

In response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/or Amino Acid Sequence Disclosures, dated January 16, 2001, Applicants submit the following:

1. Second Preliminary Amendment;
2. Sequence Listing in computer readable form;
3. Sequence Listing in paper copy;

TECH CENTER 1600/2900

APR 25 2001

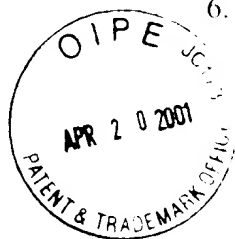
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4. A Petition for Extension of Time Under 37 C.F.R. §1.136 (a);
5. A signed Statement under 37 C.F.R. §1.821 or §1.825; and
6. A copy of the Notice to Comply.

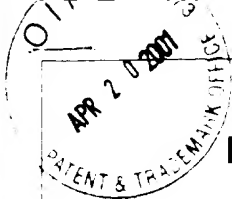


Respectfully submitted.

Dated: April 16, 2001

A handwritten signature in cursive script, appearing to read "Victor K. Lee".

Victor K. Lee (Reg. No. 35,750)  
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## Notice to Comply

Application No.	Applicant(s)	
09/530,746	KESSLER ET AL.	
Examiner	Art Unit	
Teresa E Strzelecka	1656	

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

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#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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